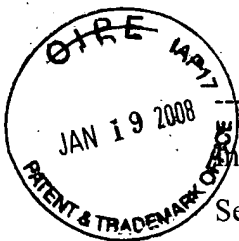


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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In the Matter of the Application of : Coates, Fredrica V.

Serial No.: 10/773,160

Filed: 02/09/2004

For: Protective Undergarments Having Anchored Pocketed-Sling Structures and
Manufacturing Method Therefor

Examiner: Reichle, Karin M.

Group Art Unit: 3761

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Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Dear Sir:

DECLARATION

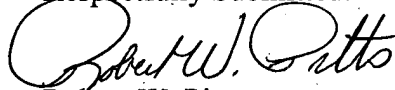
The undersigned attorney failed to timely respond to the Office Action of July 21, 2006 in the above identified application. This failure was due to a misunderstanding by the undersigned attorney as to the significance of the claimed subject matter in this application and its importance to applicant. The undersigned attorney did not notify applicant of this failure at the time this application was abandoned, under the mistaken belief that subsequent developments by applicant had rendered the claimed subject matter of little significance in relation to the cost of responding. The undersigned attorney was under the mistaken belief that the fluid resistant language in the previously pending claims rendered the pending application of little or no value to applicant. However, in a discussion with applicant in early November 2007, the undersigned attorney realized that the subject matter disclosed in this application could indeed be significant and realized that an error had been made in allowing this application to become abandoned. This error was in no way attributable to applicant or to applicant's instructions if they had been properly understood by the undersigned attorney. Upon realizing this error,

applicant proceeded to prepare the response submitted with the Request for Revival due to Unintentional Abandonment of this application. Applicant was out of the country for several weeks subsequent to efforts by the undersigned attorney to prepare a response to the Office Action of July 21, 2006, and applicant and the undersigned attorney have diligently worked to prepare an appropriate response since learning of this mistake.

The error in allowing this application to become abandoned was due solely to the mistakes of the undersigned attorney and applicant at no time intended for this application to become abandoned. Therefore the abandoned was unintentional on behalf of applicant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Robert W. Pitts", written over a horizontal line.

Robert W. Pitts

Registration No. 27372

Attorney for Applicant

Phone: 336-760-9565

January 18, 2008